THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

W.P. No. 33040 of 1997

O R D E R:

This writ petition is filed against the action of the respondents in trying to evict the petitioners from the Government Quarters.

Heard the learned counsel for the parties and perused the material available on record.

Though it is contended by the learned counsel for the petitioners that the petitioners are the allottees of various Government Quarters which are under the control of the respondents and they are staying in those Quarters for more than 20 years by paying the monthly rents and therefore the action of the respondents in trying to evict them from the Government Quarters is illegal and arbitrary, a perusal of the counter affidavit makes it amply clear that the Quarters are actually meant for utilization by Project Staff and as some of the Quarters remained vacant, the same were given to the petitioners on rent basis. While so, the Government of Andhra Pradesh issued G.O.Ms.No. 113 dated 21.8.1996 directing that the vacant project buildings of Irrigation and C.A.D. Department can be utilized for other public purpose of setting up of residential schools. The said G.O. further directed to hand over the possession of the above said buildings to the Director and Secretary, A.P. Social Welfare Residential Education Society, Hyderabad. In pursuance of the same, a meeting was held by the Secretary (Irrigation) on 24.9.1997 and it was decided to instruct the Executive Engineer, O & M Division, Macherla to hand over possession of 20 'C' type quarters

to A.P. Social Welfare Residential Education Institutions Society. Therefore, vacation notices were issued to the occupants by giving 30 days time for vacating the quarters, but the petitioners did not vacate the Quarters.

From the above, it is clear that in pursuance of the decision taken by the Government, the Government Quarters in which the petitioners are said to have been staying are required for accommodating the students of residential I.T.I. In such view of the matter, the action of the respondents in directing the petitioners to vacate the Government Quarters cannot be said to be illegal or arbitrary. The petitioners cannot claim any right to stay in the Government Quarters even after the decision of the Government to utilize those Quarters for some other purpose.

Having regard to the facts and circumstances, I find no merit in this writ petition. It is accordingly dismissed.

However, having regard to the request made by the learned counsel for the petitioners, the petitioners are given one-month time from today to vacate the Government Quarters.

T. MEENA KUMARI, J.

Date: 26-09-2007.

MVB.